

Sheet 1 of 2

Attorney Docket No.: WAVE-004XX FAX RECEIVED

DECLARATION AND POWER OF ATTORNEY

AUG 08 2003

PETITIONS OFFICE

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Broadcast Browser Including Multi-Media Tool Overlay and Method of Providing a Converged Multi-Media Display Including User-Enhanced Data

the specification of which (check one):

☐ is attached hereto.☒ was filed October 19, 2001 as Serial No. 10/036,329; amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35 USC 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | <u>Date Filed</u> | <u>Priority Claimed</u> |
|-------------------------------------|-------------------|-------------------------|
| (Number) (Country) | (Day/Month/Year) | Yes No |
| (Number) (Country) | (Day/Month/Year) | Yes No |

I hereby claim the benefit under Title 35 USC 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--|-----------------------------------|-------------------------------------|
| 60/241,930 (Application Serial No.) | October 20, 2000 (Filing Date) | USA (Patented/pending/abandoned) |
| (Application Serial No.) | (Filing Date) | (Patented/pending/abandoned) |

11/90 FORM 11

Sheet 2 of 2

Attorney Docket No.: WAVE-004XX

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business connected therewith in the Patent and Trademark Office, and to file with the USRO any International Application based thereon.

Attorney(s) and/or Agent(s):

Daniel J. Bourque, 35,457
 Howard S. Fuhrman, 33,175
 Paul J. Kroon, Jr., 51,902
 Richard J. Musgrave, Reg. No. 44,960
 R. Anthony Diehl, 38,432

Address all correspondence to:

Bourque & Associates, P.A.
 835 Hanover Street, Suite 301
 Manchester, NH 03104
 Telephone: (603) 623-5111
 Facsimile: (603) 624-1432



28452

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|---|------------------|---------------------------|
| Full Name of Second Joint Inventor: | | |
| Michael Perhaes | | |
| City of Residence | State or Country | Country of Citizenship |
| New York | NY | United States |
| Post Office Address | City | State or Country Zip Code |
| 261 West 21st Street, Apt. 21 | New York | NY 10011 |
| Signature: (Please sign and date in permanent ink.) | | Date signed: |
| X | | X 7/10/03 |

FORM PTO-1595

11-23-92

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Box Assignments

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

☒ U.S. First Class Mail☐ Certified Mail

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael Perhaes
261 West 21st Street, Apt. 21
New York, NY 10011

2. Name and address of receiving party(ies):

Name: Wavexpress, Inc.

Street Address: One Pennsylvania Plaza
Suite 2400
New York, NY 10119Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ NoAdditional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Execution Date: June 5, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

10/036,329

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Bourque & Associates, P.A.
835 Hanover Street, Suite 301
Manchester, NH 031046. Total number of applications and patents involved: [1]7. Total fee (37 CFR 3.41): \$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

02-3285

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Daniel J. Bourque, Esquire

Name of Attorney of Record

Attorney Registration No. 35,457

Signature

Date

Total number of pages including cover sheet, attachments and document: [6]

OMB No. 0651-0011 (exp. 4/94)

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PETITIONS OFFICE

A S S I G N M E N T

In consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, we, Eric Beckman, residing at 176 Broadway, New York, NY 10038; Michael Perhaes, residing at 261 West 21st Street, Apartment 21, New York, NY 10011; and Michael Sprague, residing at 73 Bedford Street, New York, NY 10014, hereby sell and assign to Wavexpress, Inc., a Delaware Corporation having a principal place of business at One Pennsylvania Plaza, Suite 2400, New York, NY 10119 its successors and assigns, the entire right, title and interest, including all rights of trade secret and copyright, in all works associated therewith, along with the right to claim priority under the International Convention, throughout the United States, its territories and all foreign countries, in and to our invention in

Broadcast Browser Including Multi-Media Tool Overlay and Method of Providing a Converged Multi-Media Display Including User-Enhanced Data

and the application for United States Letters Patent therefore filed on October 19, 2001, Serial No. 10/036,329 and such patents as may issue thereon, and all divisions, reissues and continuations thereof.

And we hereby covenant that we have full right to make such assignment, and agree for ourselves and our executors and administrators that we will, at the expense of said Wavexpress, Inc., execute all applications for patents in foreign countries, execute all divisional, continuing, reissue and re-examination applications, execute all applications for copyright registration, make all rightful oaths, sign all lawful papers, testify in any proceeding in which said invention or any application or patent directed thereto may be involved, and generally do everything possible to aid said Wavexpress, Inc., its successors and assigns, to obtain and enforce proper patent and copyright protection for said invention in the United States, its territories and all foreign countries.

And we hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent on said invention or resulting therefrom to Wavexpress, Inc., its successors and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal.

Michael Perhaes
Michael Perhaes

Date: 6/5/03

State of NEW YORK)
County of NEW YORK) ss.

Subscribed and sworn to before me by the above-named Michael Perhaes this 5 day of June, 2003.

[Signature]
Notary Public

My Commission Expires:

(Seal)

HARRY J. KOENIG
Notary Public, State of New York
No. 32-7325015 Suffolk County
Commission filed in New York County
Term Expires March 30, 2004